

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Philip P. Carvey and William J. Dally
Application No.: 09/325,119
Filed: June 3, 1999
For: PHOTONIC SWITCH USING TIME-SLOT INTERCHANGE

Group: 2733

Examiner:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

on 8-10-99 Clare J. Handel
Date Signature
CLARE J. HANDEL
Typed or printed name of person signing certificate

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated June 30, 1999, the following documents and fees are being submitted for filing in the captioned application:

- EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.
(Separate transmittal letter and postcard not required)
- FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.
(Separate transmittal letter and postcard not required)
- SURCHARGE** - surcharge fee of \$130.00.
(Separate transmittal letter and postcard not required)
- SEQUENCE LISTING** - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)

[] **PETITION FOR EXTENSION OF TIME**

[] Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to [].
The appropriate fee of \$[] is included in the enclosed check.

[] A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee.

[] Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

[] **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

[] **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

[] Was filed on [].

[] Is enclosed herewith.

(Separate transmittal letter and postcard not required)

[] In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$980. Authorization is hereby granted to charge any additional fees due to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
James M. Smith, Esq.
Registration No.: 28,043
Tel.: (781) 861-6240
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

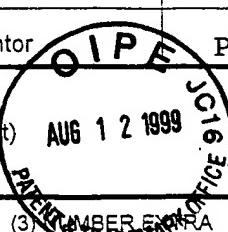
Date: 8/10/99

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR PATENT APPLICATIONS		Attorney Docket Number	AVI99-02
		Application Number	09/325,119
		First Named Inventor	Philip P. Carvey

CLAIM CALCULATION (includes any preliminary amendment)

AUG 12 1999



CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER FEE	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	25 - 20 =	5	x \$ 18 =	\$ 90
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (j))	3 - 3 =	0	x \$ 78 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$
				BASIC FEE (37 CFR 1.16(a))	\$ 760
			Total of above Calculations =		\$ 850
			Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =		\$
				TOTAL =	\$ 850
			Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =		\$ 130
			Petition for Extension of Time Fee (37 C.F.R. 1.17) =		\$
			Assignment Recordation Fee = (only when filed with application)		\$
*	Reissue claims in excess of 20 and over original patent.			TOTAL =	\$ 980 .
**	Reissue independent claims over original patent				

1. Small entity status:

- a. A small entity statement is enclosed.
- b. A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. Is no longer claimed.

2. A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. A check is enclosed for \$ 980. Please charge \$ _____ to Deposit Account No. 08-0380.

4. Other: _____

Signature		Date	8/10/99
Submitted by Typed or Printed Name	James M. Smith, Esq.	Reg. Number	28,043

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR PATENT APPLICATIONS	Attorney Docket Number	AVI99-02
	Application Number	09/325,119
	First Named Inventor	Philip P. Carvey

CLAIM CALCULATION (includes any preliminary amendment)

AUG 12 1999

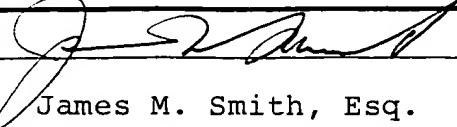
PATENT / TRADEMARK OFFICE

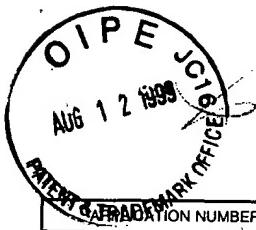
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	25 - 20 =	5	x \$ 18 =	\$ 90
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (j))	3 - 3 =	0	x \$ 78 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$
				BASIC FEE (37 CFR 1.16(a))	\$ 760
				Total of above Calculations =	\$ 850
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$
				TOTAL =	\$ 850
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 130
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$
				Assignment Recordation Fee = (only when filed with application)	\$
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent			TOTAL =	\$ 980 .

1. Small entity status:

- a. A small entity statement is enclosed.
- b. A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. Is no longer claimed.

2. A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.3. A check is enclosed for \$ 980 . Please charge \$ _____ to Deposit Account No. 08-0380.4. Other:

Signature		Date	8/12/99
Submitted by Typed or Printed Name	James M. Smith, Esq.	Reg. Number	28,043



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

09/325, 119 06/03/99 DALLY

AVI99-02

0242/0630

JAMES M SMITH ESQ
HAMILTON BROOK SMITH & REYNOLDS P C
TWO MILITIA DRIVE
LEXINGTON MA 02421-4799

NOT ASSIGNED

2733

DATE MAILED:

8-30-99 Filing Fee
Dated/Sealed

06/30/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
 small entity (statement filed) non-small entity is \$

1. The statutory basic filing fee is:

- missing.
 insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ 90 for 5 total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

- is missing or unsigned.
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

T-4 Told

Customer Service Center
Initial Patent Examination Division (703) 308-1202

09325119
00000002
08/16/1999 SDUONG
01 FC:01
02 FC:03
03 FC:05

08/16/1999 SDUONG
01 FC:01
02 FC:03
03 FC:05